

**From:** [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP \(FYDIBOHF23SPDLT\)/CN=RECIPIENTS/CN=0AF2102975E24B24B33E25AD90C4EC39-GWEBSTER](#) on behalf of [Foi Enquiries](#)  
**To:** [REDACTED]  
**Subject:** EIR-18-0456 - Kingsford Stadium  
**Date:** 05 April 2018 15:36:00  
**Attachments:** [Further Information - Right to Review & Appeal.pdf](#)

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Dear [REDACTED],

Thank you for your information request of 14 March 2018. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

**I would like to request all e-mails, notes, diary entries, letters and any other correspondence , reports , draft reports and any other communications - Between any officer in the Aberdeen City Council Roads Department and Aberdeen Football Club or any of their representatives, to include: Halliday, Fraser Munro , Burness Paul, Fairhursts, Stewart Milne, George Yule, Raymond Edgar , between the dates of 1st January 2017 and 29th January 2018**

ACC is unable to provide you with information on as it is excepted from disclosure. In order to comply with its obligations under the terms of Regulation 13 of the EIRs, ACC hereby gives notices that we are refusing your request under the terms of Regulation 10(4)(b) – Manifestly Unreasonable – of the EIRs.

In making this decision ACC considered the following points:

The information requested by the Applicant:

ACC holds information related to planning application 170021/DPP, including written correspondence (emails, letters, reports, notes, diary entries) submitted by AFC and their representatives. This information is held for the purpose of assessing and processing the planning application.

The information is held on the planning portal on the Council's website (under planning application 170021/DPP), in email accounts, and potentially in shared and personal computer drives/folders. It is also highly likely that information is contained in written notes and diaries.

The broad nature and large time frames requested is such that the information requested has various uses, but in general terms it relates to the submission, consideration and determination of a single application for planning permission specifically relating to roads issues. Pertinent information relied upon by the planning authority in determining the application is publicly available via the planning portal.

The time and resources required:

The request made covers a period of approximately 13 months. Its scope would include all correspondence between any ACC Roads officers and any internal/external representative of AFC.

The broad nature of the request is such that ACC must consider the number of parties who could be expected to have engaged in correspondence in relation to this application. Roads is not a Council function that is contained exclusively within a single service, as consultation is commonly undertaken with teams across the organisation with particular areas of

interest/expertise (for example street lighting, traffic signals, lining and signing, cycle routes, etc.). In the context of the AFC application at Kingsford, the application is defined as a 'Major' application, and the nature of the proposal is such that it necessitated a broad spectrum of consultation across the Council and with other external bodies. The result of this is that no one officer would be able to provide this information and searches would need to be undertaken by a large number of parties and cross-referenced in order to provide the information sought.

Additionally, all necessary officers would be required to search through their notebooks/diaries over the last 13 months for any notes taken in meetings, for letters, draft reports etc.

The impact of the request of ACC's Core Operations:

The main concern with this response is that it would involve a number of individuals, specifically the majority of the Roads Department Management team. This team is responsible for responding to planning applications and dealing with roads construction consent applications.

Aberdeen City Council, in its role as planning authority, is monitored on performance, with quarterly returns submitted to the Scottish Government in relation to average time taken to determination and other key performance indicators. The Scottish Government has in recent years raised the possibility of a portion of the income from planning application fees being withheld from local authorities who are not seen to be performing adequately, so there is potentially a link between declining performance and Council finances.

Documents relating to the application, including correspondence issued by the applicants and their appointed planning, architectural, transportation, engineering and legal representatives, can be found on the planning portal, along with documents lodged in support of the application and the various consultation responses from third parties (including internal and external sources). These can be found at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

ACC would be happy to discuss way in which you may refine your request, so we can provide some information of interest to you. For example, by reducing the time period you are interested in, or by reducing the number of officers required to search (perhaps focusing on one or some named officers i.e. the relevant case officer, the Head of Service etc).

It may also be helpful if you could clarify your request more specifically. This can be done by reducing the scope of the request or by providing us with keywords you would like us to search on. Please do contact the Information Compliance team, who will be happy to advise you, if this is something you would like to pursue.

We hope this helps with your request.

Yours sincerely,

Grant Webster  
Information Compliance Officer

**INFORMATION ABOUT THE HANDLING OF YOUR REQUEST**

As the information which you requested is environmental information, as defined under Regulation 2(1) of the Environmental Information (Scotland) Regulations 2004 (the EIRs), ACC considered that it was exempt from release through FOISA, and must therefore give you notice that we are refusing your request under Section 39(2) of FOISA (Freedom of Information (Scotland) Act 2002). However, you have a separate right to access the information which you have requested under Regulation 5 of the EIRs, under which ACC has handled your request. Please refer to the attached PDF for more information about your rights under the EIRs.

Information Compliance Team | Customer Feedback | Customer Experience

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\*03000 numbers are free to call if you have 'free minutes' included in your mobile call plan.

Calls from BT landlines will be charged at the local call rate of 10.24p per minute (the same as 01224s).

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